



June 1, 2021

Roers Companies  
c/o: Mr. Shane LaFave  
110 Cheshire Lane  
Suite 120  
Minnetonka, MN 55305

Subject: Technical Assistance Provided  
Community Within the Corridor – West Block  
3212 W Center St., 2727 N 32nd St., & 2758 N 33rd St., Milwaukee, WI  
BRRTS #: 02-41-587376, FID #: 341333190

Dear Mr. LaFave:

On May 3, 2021, the Wisconsin Department of Natural Resources (DNR) received *Pressure Field Extension Testing and Vapor Mitigation System Feasibility Study*, dated April 27, 2021, prepared on your behalf by K. Singh and Associates, Inc. (K. Singh) for the above-referenced site. This submittal was presented with a Technical Assistance fee of \$700 for DNR review and response. On May 18, 2021, the DNR requested additional information regarding the potential sources of contamination at this site, and on May 19, 2021, the additional information was received (collectively, the Report). In the Report, K. Singh presents recently collected data pertaining to the site investigation and proposes a vapor mitigation system (VMS) design plan.

The DNR reviewed the site investigation portion of the Report for regulatory compliance with Wis. Admin Code ch. NR 716 and the remedial action portion of the Report for regulatory compliance with Wis. Admin. Code chs. NR 722 and NR 724. The DNR's comments, as presented below, provide you with recommendations for additional site investigation to complete the delineation of the extent and degree of contamination at this site, which must be completed prior to case closure, per Wis. Admin. Code ch. NR 716. Furthermore, the results of a complete site investigation must be applied when evaluating remedial action options. Remedial actions are required to prevent any threat to public health, safety, welfare and the environment.

Similar to the DNR's review of your proposals for the Community Within the Corridor – East Block (BRRTS #: 02-41-263675), as outlined in the *Review of Remedial Action Design Report* DNR letter dated April 9, 2021, the DNR is unable to approve the vapor mitigation plan (VMS) design plan until remedial actions are evaluated and proposed. The DNR understands that a strict construction schedule has been established for this site, nevertheless, this activity must follow the Wis. Admin. NR 700 code series to entirely investigate and remediate the environmental contamination on site to ensure protective conditions for the citizens that will reside in and utilize this residential and community-oriented project.

## Background

The site is made up of three parcels, which total approximately 2.83 acres, and is covered by paved parking lots and driveways, greenspaces and a multi-building facility (the building) that was constructed in the early 1900s. The site has been used for various industrial purposes, such as manufacturing activities that may have included painting, degreasing activities, and leather working, for over the past 100 years. A *Notification of Hazardous Substance Discharge* was received by the DNR on March 25, 2021, for soil and sub-slab vapor contaminated with chlorinated volatile organic compounds (CVOCs) and/or polychlorinated biphenyls (PCBs). The source of contamination was identified as the general former industrial use of the building. Construction began in February 2021 to redevelop the site into an affordable housing and commercial complex that is a part of the Community Within the Corridor project.

## Site Investigation Summary

In preparation for site redevelopment, K. Singh performed a Phase I Environmental Site Assessment (ESA), and subsequently performed a Phase II ESA. The Phase II ESA identified CVOCs in soils greater than the Wis. Admin. Code ch. NR 720 residual contaminant levels (RCLs). Following the Phase II ESA, K. Singh conducted additional soil and sub-slab vapor sampling throughout the building, which identified soil RCL exceedances in addition to residential, small-commercial and industrial VRSL exceedances of petroleum VOCs (PVOCs), CVOCs and/or PCBs. The DNR received the *Site Investigation Work Plan* (SIWP) on March 31, 2021, without a fee for DNR review and response. The SIWP presents a plan for additional soil, groundwater and vapor investigation at the site. As indicated in the Report, the proposed investigation activities are currently underway.

## Site Investigation Review

Wis. Admin. Code ch. NR 716 provides the requirements for conducting a site investigation. In summary, the required steps to follow include 1) collecting and evaluating information to scope the investigation, 2) preparing a site investigation work plan, 3) conducting the field investigation, and 4) preparing a site investigation report. Investigative activities have occurred at this site, but additional site investigation, per Wis. Admin. Code ch. NR 716, which is based on and supports a conceptual site model, is required, as outlined below:

### I. Source identification (scoping the investigation)

Wis. Admin. Code § NR 716.01 states that the site investigation must define the extent and degree of contamination and identify the source(s) of contamination. Furthermore, Wis. Admin. Code § NR 716.07(1) requires that the history of the site or facility, including industrial land uses that may have been associated with one or more hazardous substance discharges, be evaluated.

- A. The Report presents a limited discussion of the potential sources and how these correspond with the data collected during investigation activities to-date. Provide a more thorough discussion of potential sources of contamination which considers the site data and is related to a conceptual site model.
- B. The Phase I ESA indicates that there is evidence of historical degreasers identified at the 2758 North 32<sup>nd</sup> Street parcel. Provide additional details regarding where the degreasers were located, the duration of time that they were used and the historical operations that they may be associated with. Consider the contamination identified at the site to-date and discuss whether may be related the historical degreasers. Provide a figure showing the locations of the historical degreasers.

### C. Evaluation of emerging contaminants

On August 24, 2020, the DNR received *Environmental Investigation Memorandum for Community Within the Corridor* (PFAS Report) prepared on your behalf by K. Singh, which presents PFAS soil analytical results related to this site and the Community Within the Corridor – East Block site. However, an evaluation, as described below, was not provided.

Wis. Admin. Code §§ NR 716.07, NR 716.09 requires that site investigation scoping and work plans include an evaluation of potential perfluoroalkyl and polyfluoroalkyl substances (PFAS) and other applicable emerging contaminants that were historically or are presently produced, used, handled, or stored at the site.

1. Provide an evaluation of emerging contaminants, and include any available information on whether the historical site operations used any products containing PFAS in any process services, the duration of PFAS containing product use, the type of PFAS contained in the product, and any areas of the site where PFAS-containing products may have been used, stored, managed, or discarded. This evaluation should consider and incorporate the extent and degree of contamination that has been identified at the site and discuss whether the data indicates that there were discharges related to any of the historical site operations that may have used PFAS containing products. Specifically discuss the individual types of manufacturing operations involved in the historical operations - painting, degreasing, leather working, etc. You may reference the August 17, 2020, DNR letter titled, *Reminder to Include Evaluation of Emerging Contaminants in Site Investigation*, for additional details on this requirement.
2. Discuss how this emerging contaminant evaluation relates to the results presented in both the PFAS Report and the Report. Discuss whether additional PFAS or other emerging contaminant investigation is required given the data presented in the Report. Provide a work plan as needed.

### II. Degree and extent of contamination in all affected media (field investigation)

Wis. Admin. Code § NR 716.11(3)(a) requires the field investigation to determine the nature, degree and extent, both areal and vertical, of the hazardous substances or environmental pollution in all affected media.

#### A. Soil

1. Additional soil investigation is needed to define the degree and extent of soil contamination. This additional investigation should focus on the potential source areas and should consider the site investigation analytical results identified to-date.

#### B. Groundwater

1. Additional groundwater investigation is needed to define the degree and extent of groundwater contamination. This additional investigation should focus on the potential source areas and should consider the site investigation analytical results identified to-date.

### C. Vapor

1. The sub-slab vapor investigation is incomplete. Please see the vapor mitigation section below for more discussion on this topic.
2. A robust indoor air sampling program will be required following the installation of the VMS and after the interior construction is complete and the heating, ventilation and air conditioning (HVAC) systems are operational.

### III. Submitting site investigation information (site investigation report)

Wis. Admin. Code § NR 716.15 requires that a site investigation report be submitted to the DNR within 60 days after completion of the field investigation and receipt of laboratory data. As you are aware based on the work conducted at this site thus far, the site investigation can be an iterative process and data results may indicate further assessment is needed to define the degree and extent of contamination. Although work status update information and field data notifications may be submitted to the DNR throughout the field investigation phase, it is expected that each submittal evaluating results and recommending additional work builds on previous site information, therefore developing and maintaining the comprehensive site investigation reporting up to submittal of the final comprehensive site investigation report.

### Next Steps - Remedial Action & Mitigation

Wis. Admin. Code § NR 722.05(4)(a) states that responsible parties shall identify, evaluate, and document an appropriate range of remedial action options to address each contaminated medium when a site investigation report is completed in accordance with Wis. Admin. Code ch. NR 716. As previously stated, the DNR understands that the site redevelopment has a strict construction schedule and that any remedial actions taken at this time may act as the final remedy proposed for case closure. Therefore, remedial actions must be considered and implemented as soon as possible to help to establish protective conditions for the citizens that will reside in and utilize this residential and community-oriented redevelopment. The DNR cannot approve the VMS design plan presented in the Report as part of a final remedial strategy at this time, because the site investigation is not complete, and no remedial actions have been proposed. Based on the DNR's review of the Report, the following recommendations and feedback are provided to assist with remedial actions options evaluation(s):

#### I. Vapor

Wis. Admin Code § NR 726.05(8)(b) states that prior to case closure, any site where vapors are present above their respective VRSLs must complete a remedial action to reduce the mass and concentration of volatile organic compounds (VOCs) to the extent practical. Additionally, the vapor exposure pathway must be interrupted or mitigated.

##### A. Remedial Action

1. Considering site investigation conducted to-date has identified sub-slab vapor contamination greater than its applicable VRSLs, propose a remedial action to reduce the mass and concentration of contamination at this site. Additionally, provide an estimate for the mass of contamination that will be removed during the proposed remedial action(s). The DNR recommends that remedial actions be considered for building 7, since site investigation has identified the highest known concentration of PCE in the sub-slab

vapors and soils in building 7. Please note that the DNR does not consider vapor mitigation an active remedy.

## B. Mitigation

1. Only one round of sub-slab vapor sampling has occurred to-date. Additional sub-slab vapor sampling is required to demonstrate that the VMS is not necessary to mitigate the entire footprint of the building. The DNR recommends that two to three consecutive rounds of vapor sampling identify contaminant concentrations below their applicable VRSLs (i.e., residential, small-commercial or industrial) prior to ruling out an area of the building for vapor mitigation. Therefore, either expand the VMS to include the entire building footprint or conduct additional vapor sampling to help to define the extent and degree of sub-slab vapor contamination at this site. For additional guidance on vapor investigation and mitigation you may reference DNR guidance document RR-800, *Addressing Vapor Intrusion at Remediation & Redevelopment Sites in Wisconsin*.

## Documentation

The following documentation issues must be addressed in future submittals:

- II. Revise the soil data tables to specifically indicate which type of soil RCL exceedance (i.e., soil to groundwater pathway, non-industrial direct contact and industrial direct contact) exists for each constituent at each sample interval.
- III. Revise the vapor data tables to display all applicable VRSLs (i.e., residential, small-commercial and industrial).
- IV. Display applicable vapor detections on the vapor figures. If all the identified vapor detections do not fit on a given figure, then you may limit the detections that are included on a given figure to the contaminants of concern and the contaminants whose identified concentrations are close in value to their applicable VRSLs.

## Schedule

In consideration of administrative code requirements, the DNR is requesting the implementation of the following schedule:

- Per Wis. Admin. Code § NR 716.14, submit all sampling results within 10 days of receiving laboratory data.
- Per Wis. Admin. Code § NR 708.15, submit an interim action report (IAR) describing the interim actions taken at this site following the completion of additional vapor investigation and/or remediation. This should include information regarding activities conducted to-date, the activities requested above, and an operation, maintenance and monitoring (OMM) plan.
- Per Wis. Admin. Code § NR 716.09(1), submit an updated site investigation work plan within 45 days of the date of this letter, by July 16, 2021, that incorporates the DNR's review of site investigation, as presented above.
- Per Wis. Admin Code § NR. 716.15, submit a site investigation report within 60 days after the completion of the field investigation and receipt of the laboratory data.

The DNR appreciates the actions you are taking to restore the environment at this site. If you have any questions concerning this site or this letter, please contact me, the DNR Project Manager, at (414) 435-8021, or by email at [jane.pfeiffer@wisconsin.gov](mailto:jane.pfeiffer@wisconsin.gov).

Sincerely,

A handwritten signature in black ink that reads "Jane Pfeiffer". The signature is written in a cursive, slightly slanted style.

Jane K. Pfeiffer  
Project Manager – Hydrogeologist  
Remediation & Redevelopment Program

cc: Mr. Que El-Amin, Scott Crawford, Inc., [que@scott-crawford.com](mailto:que@scott-crawford.com) – electronic copy  
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